

MEMORANDUM

04 136

Agenda Item No. 6(D)

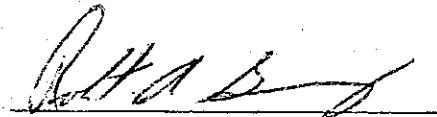
TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

(Second Reading 7-13-04)
DATE: April 27, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance relating to the
PLANT (Princeton, Leisure City
and Naranja) Area Municipal
Advisory Committee

The accompanying ordinance was prepared and placed on the agenda at the request
of Commissioner Dennis C. Moss.



Robert A. Ginsburg
County Attorney

RAG/jls

04-136



MEMORANDUM

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members, Board of County Commissioners **DATE:** July 13, 2004

FROM: George M. Burgess, County Manager *[Signature]* **SUBJECT:** Ordinance creating and establishing the PLANT (Princeton, Leisure City and Naranja) Area Municipal Advisory Committee

The accompanying ordinance will not have a fiscal impact on Miami-Dade County.

The municipal advisory committee has been meeting as established through Resolution No. 518-03 adopted on May 6, 2003. Staff will continue to provide the support it has been providing until the committee's work is completed.

fiscal/03304



MEMORANDUM

(Revised)

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TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: July 13, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(D)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 6(D)

7-13-04

ORDINANCE NO. 04-136

ORDINANCE CREATING AND ESTABLISHING THE PLANT (PRINCETON, LEISURE CITY AND NARANJA) AREA MUNICIPAL ADVISORY COMMITTEE; DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE PLANT AREA; PROVIDING WAIVER OF SECTIONS 2-11.37(c) AND 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. 518-03 (Attachment I) a PLANT Area Municipal Advisory Committee was created; and

WHEREAS, it is anticipated that the Committee's advisory report will not be completed within one year from the date that the Committee was created pursuant to resolution; and

WHEREAS, pursuant to the Code of Miami-Dade County, Section 2-11.31.1, committees that will exist for a year or more shall be created by ordinance,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Creating of the PLANT Area Municipal Advisory Committee; composition:

There is hereby created a PLANT Area Municipal Advisory Committee consisting of a minimum of no less than seven (7) members and no more than eleven (11) members. The initial members as well as any vacancies on the PLANT Area Municipal Advisory Committee shall be those members appointed pursuant to memorandum to be issued by the County Commissioner for the District. The members of the committee shall select officers from the membership as desirable or necessary.

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Section 2. **Purposes.**

- 1) To review the possible incorporation of the generally described area set forth in Attachment I of this ordinance.
- 2) To prepare an advisory report that shall address the results of the study prepared by County staff as well as incorporation concerns of members of the Board of County Commissioners and the manner in which those concerns may be alleviated in the event the PLANT area is incorporated as a new municipality.

Section 3. **Duties and Responsibilities.**

- 1) The committee shall conduct no less than two duly advertised public hearings at which the residents of the area shall have the opportunity to express their views and concerns regarding the proposed incorporation of the PLANT area.
- 2) Prior to the first public hearing, the committee shall have reviewed the tape of the County Commission workshop on incorporation held on January 14, 1999, and shall be familiar with written materials concerning incorporation presented to the Board of County Commissioners at that time and at any subsequent meeting or workshop.
- 3) The committee's responsibilities shall terminate upon submission of its report to the Board of County Commissioners.

Section 4. The requirement of Section 2-11.37(c) of the Code of Miami-Dade County is hereby waived.

Section 5. Notwithstanding the provisions of Section 2-11.38 of the Code of Miami-Dade County, a member of a Community Council may simultaneously serve on the PLANT Area Municipal Advisory Committee.

Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 8. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 9. This ordinance shall stand repealed one year from its effective date.

PASSED AND ADOPTED: JUL 13 2004

Approved by County Attorney as
to form and legal sufficiency:

RA6

Prepared by:

CHC

Craig H. Coller

Sponsored by Commissioner Dennis C. Moss